



CRM-M-15823-2024 and other connected cases

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228 (3 cases)

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Date of Decision:- 25.09.2024

(1)

CRM-M-15823-2024

Tarsem Singh alias Doctor

...Petitioner

Versus

State of Punjab

...Respondent

(2)

CRM-M-19849-2024

Sharanbir Singh alias Gopi

...Petitioner

Versus

State of Punjab

...Respondent

(3)

CRM-M-38786-2024

Shivkaran Singh alias Karan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Sandeep Wadhawan, Advocate and
Mr. Gurjot Singh, Advocate
for the petitioner in CRM-M-15823-2024.

Mr. Anosh Samson, Advocate
for the petitioner in CRM-M-19849-2024.

Mr. Ankur Jain, Advocate
for the petitioner in CRM-M-38786-2024.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

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1. All the aforementioned petitions have arisen out of same FIR, therefore, taken up together for disposal.

2. Petitioners Tarsem Singh alias Doctor (in CRM-M-15823-2024), Sharanbir Singh alias Gopi (in CRM-M-19849-2024) and Shivkaran Singh alias Karan (in CRM-M-38786-2024) have filed separate petitions under Section 439 Cr.P.C. for grant of regular bail in FIR No. 49 dated 19.08.2023, under Sections 307, 336, 427, 148, 149 of Indian Penal Code, 1860 and Sections 25, 27 of Arms Act and Section 302 of IPC added later on vide DDR No. 09 dated 31.08.2023, registered at Police Station Kotli Surat Mallian, Police District Batala, Gurdaspur.

3. As per facts of case, SI/SHO Manjit Singh and police party was present in connection with routine patrolling at *Adda* Sikab Machhian, where he received information from reliable source that firing incident in two groups was taking place in village Nabi Nagar. He alongwith police party reached on spot and on inquiry came to know that Gurjit Singh and his companions Harpreet Singh @Major, Paramjit Singh @Pamma, Sucha Singh @Mangu, Prince @Manna Masih and Jobanpreet Singh alongwith 15-20 unknown persons on one side and Chanpreet Singh accompanied by 15-20 persons on other side, duly armed with weapons, decided to settle their score at one place and they fixed date and time for said meeting. Both groups were duly armed with fire arm weapons and sharp edged weapons and they attacked on each other, as a result, many of them were injured

and were admitted in different hospitals. One of the

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motorcycle was also set ablaze. It is alleged that both groups were dealing with drugs. With these allegations, present FIR has been registered under Sections 307, 336, 427, 148, 149 of IPC and Sections 25, 27, 54, 59 of Arms Act.

As per status report, investigation was carried out and said FIR was registered against Gurjit Singh, Harpreet Singh alias Major, Paramjit Singh alias Pamma, Sucha Singh alias Mangu, Jobanpreet Singh, Prince, Chanpreet Singh and unknown persons. On the arrest of Sucha Singh alias Mangu, he suffered disclosure statement on the basis of which as per GD No. 29 dated 28.08.2023, Puran Singh, Kala Singh, Maninder Singh, Satinder Singh, Sharanbir Singh, Simranjit Singh, Gurpreet Singh and Desbir Singh were nominated as accused. In the aforesaid occurrence, Chanpreet Singh was seriously injured and ultimately succumbed to injuries on 31.08.2023.

4. Learned counsel for petitioner Tarsem Singh alias Doctor (in CRM-M-15823-2024) argued that he is falsely implicated in this case. No specific role is attributed to him nor he was armed with any weapon. It is further alleged that during investigation, it came into light that he belonged to the group of Chanpreet Singh. Present petitioner has nothing to do with occurrence. He was apprehended on 19.09.2023 and since then he is behind the bars. His bail petition was wrongly declined by learned Additional Sessions Judge vide order dated 15.03.2024, Annexure P-2. It is pointed out that co-accused Satinder Singh was granted anticipatory bail in CRM-M-63782-2023, decided on 20.02.2024, Annexure P-3, Maninder Singh

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was granted regular bail in CRM-M-4816-2024, decided on 07.03.2024, Annexure P-4 and Navdip Singh alias Nav was also granted regular bail in CRM-M-1034-2024, decided on 20.03.2024, Annexure P-5. It is submitted that petitioner will abide by the terms of bail order. Therefore, he may be granted regular bail.

Learned counsel for petitioner Sharanbir Singh alias Gopi (in CRM-M-19849-2024) argued on the same lines, alleging that he is not specifically named. As per disclosure statement, he belonged to the group of Chanpreet Singh, who died in the occurrence. All the allegations are false and without any basis. He was arrested in this case on 13.09.2023. Learned counsel has also relied upon aforesaid bail orders granted in favour of other accused persons. He is ready to abide by the terms of bail order. Therefore, he may be granted regular bail.

Learned counsel for petitioner Shivkaran Singh alias Karan (in CRM-M-38786-2024) raised argument that he is arrayed on disclosure statement of co-accused. He has nothing to do in the said occurrence. Present petitioner is also shown to be of the group of Chanpreet Singh who lost his life. Present petitioner is in custody since 19.08.2023. Challan is already presented. He is ready to abide by the terms of bail order. Therefore, he may be granted regular bail.

5. Status report is filed. In aforesaid bail petitions, learned counsel representing State pointed out that gang war took place in two groups.

Names of aforesaid petitioners came into light during the course of investigation. During interrogation, they conceded that they had reached

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the spot at the instance of Chanpreet Singh. So far as petitioner Tarsem Singh alias Doctor is concerned, he is already involved in three other FIRs which are detailed in para No. 11 of status report. Similarly, petitioner Sharanbir Singh alias Gopi is also involved in five other criminal cases and Shivkaran Singh alias Karan is also involved in three other criminal cases. Therefore, all the aforesaid petitioners have criminal antecedents. It is argued that considering the nature of allegations, petitioners are not entitled to be released on regular bail.

6. I have considered the arguments and have gone through the record carefully. As per status report placed on record in the aforesaid regular bail petitions, present petitioners are named and they were joined in investigation. Facts of the case indicate that fight took place between two groups consisting of large number of persons duly armed with fire arm weapons and other sharp edged weapons and they attacked on each other, causing injuries and out of them one of the person namely Chanpreet Singh was seriously injured, who died on 31.08.2023. Present petitioners in my opinion cannot derive any benefit by alleging that they belonged to the group of Chanpreet Singh who lost his life. As per status report, challan is already presented in this case and it is pending for framing of charge-sheet. Trial in this case is at initial stage. Statements of material witnesses are yet to be recorded. Therefore, considering the manner in which occurrence took place and its gravity, I do not find it appropriate to grant regular bail to petitioners Tarsem Singh alias Doctor, Sharanbir Singh alias Gopi and Shivkaran Singh alias Karan, at this stage. Therefore, regular bail petitions



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filed by them, as referred above, are accordingly, dismissed.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

25.09.2024
lalit

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No